

TENTATIVE RULINGS for CIVIL LAW and MOTION

February 25, 2010

Pursuant to Yolo County Local Rules, the following tentative rulings will become the order of the court unless, by 4:00 p.m. on the court day before the hearing, a party requests a hearing and notifies other counsel of the hearing. To request a hearing, you must contact the clerk of the department where the hearing is to be held. Copies of the tentative rulings will be posted at the entrance to the courtroom and on the Yolo Courts Website, at www.yolo.courts.ca.gov. If you are scheduled to appear and there is no tentative ruling in your case, you should appear as scheduled.

Telephone number for the clerk in Department Fourteen: (530) 406-6941

TENTATIVE RULING

CASE: **Davis Enterprise, Inc. v. Fairfield Publishing Company**
 Case No. CV CV 06-68

Hearing Date: **February 25, 2010** **Department Fifteen** **9:00 a.m.**

Davis Enterprise, Inc.'s unopposed motion to continue the trial and associated dates is **GRANTED**. (Cal. Rules of Court, rule 3.1332.) The trial, trial readiness, and mandatory settlement conference dates are **VACATED**. A further case management conference is set for Thursday, March 11, 2010, at 1:30 p.m. in Department Ten so that new dates may be set.

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.

TENTATIVE RULING

Case: **JPMorgan Chase Bank, National Assoc. v. Reyniel**
 Case No. CV UD 09-1439

Hearing Date: **February 25, 2010** **Department Fifteen** **9:00 a.m.**

Paz Verano and counsel for the plaintiff are **DIRECTED TO APPEAR** and to inform the Court of the status of the bankruptcy action.

TENTATIVE RULING

Case: **Pacific Bell Directory v. Jafarian et al.**
 Case No. CV G 06-1990

Hearing Date: **February 25, 2010** **Department Fifteen** **9:00 a.m.**

The unopposed motion to withdraw as counsel filed by the Law Offices of Gary R. Matta:
This motion is **GRANTED**. Defense counsel shall submit a proposed order on Judicial Council form MC-053 and comply with California Rules of Court, rule 3.1362(e). This order is not effective until defense counsel files a proof of service with the Court showing service of a copy of the signed order on the defendant.

Pacific Bell Directory's motion to compel attendance at a deposition and production of documents and things and for monetary sanctions: The motion to compel defendant/cross-complainant Frank Jafarian to attend a deposition is **GRANTED**. Plaintiff shall attempt to meet and confer with Mr. Jafarian about a deposition date. If Mr. Jafarian does not respond to the plaintiff's request for available deposition dates within seven (7) calendar days, the plaintiff may unilaterally set the deposition date.

The motion to compel Mr. Jafarian to produce the documents described in the Second Revised Notice of Deposition is **DENIED WITHOUT PREJUDICE**. Plaintiff failed to set forth specific facts showing good cause justifying the production for inspection of any document or tangible thing described in the deposition notice. (Code Civ. Proc., § 2025.450, subd. (b)(1).)

The request for \$1,690.00 in monetary sanctions against Mr. Jafarian and his counsel of record, the Law Offices of Gary R. Matta, is **GRANTED**. (Code Civ. Proc., § 2025.450, subd. (c)(1).)

Plaintiff shall serve Mr. Jafarian with a copy of this order, at the address shown on the Law Offices of Gary R. Matta's motion to be relieved as counsel, by no later than February 26, 2010.

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice, except as provided herein, is required.

TENTATIVE RULING

Case: **Page v. Regents of the University of California, et al.**
Case No. CV PM 08-228

Hearing Date: **February 25, 2010** **Department Fifteen** **9:00 a.m.**

Regents of the University of California's motion to amend responses to requests for admissions is **GRANTED**. (Code Civ. Proc., §§ 2033.300; *New Albertsons, Inc. v. Superior Court* (2008) 168 Cal.App.4th 1403.) Defendant shall serve the second amended responses by **February 26, 2010**.

The motion for an order permitting discovery of financial information and the motion to produce Glenn Pettibone for deposition and for sanctions are **CONTINUED** on the Court's own motion to Friday, March 5, 2010, at 9:00 a.m. in Department Fifteen.

If no hearing is requested, the tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.

TENTATIVE RULING

Case: **People v. \$4,408.00 (Isidro Olivares)**
Case No. CV PT 10-8

Hearing Date: **February 25, 2010** **Department Fifteen** **9:00 a.m.**

The hearing in this case must be by jury, unless waived by consent of all parties. (Health and Safety Code, § 11488.5, subd. (c)(2).) This matter is ordered to be tried in conjunction with the related criminal action, Yolo County Superior Court Case No. CR F 09-5229. (Health and Safety Code, § 11488.4, subds. (i)(3) and (i)(5).)

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.

TENTATIVE RULING

Case: **Palmer J. Swanson PC v. Kumar**

Case No. CV PT 09-3053

Hearing Date: **February 25, 2010** **Department Fifteen** **9:00 a.m.**

This matter is **CONTINUED** on the Court's own motion to Friday, March 5, 2010, at 9:00 a.m. in Department Fifteen.

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.